

Message Text

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TO AMEMBASSY PANAMA IMMEDIATE

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EXDIS

E.O. 11652: GDS

TAGS: PN, PBOR, PEPR

SUBJECT: PANAMA CANAL TREATIES; RESERVATION ON CEMETERIES

FOR AMBASSADOR FROM HANSELL

REF: STATE 063076; JORDEN-HANSELL TELECON MARCH 11

1. IN RESPONSE TO THURMOND RESOLUTION ON CEMETERIES
LEADERSHIP IS PUSHING FOLLOWING RESERVATION:

2. BEGIN QUOTE:

RESERVATIONS

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INTENDED TO BE PROPOSED BY MR. RANDOLPH (FOR HIMSELF, MR.
CRANSTON, MR. BYRD OF WEST VIRGINIA, AND MR. TALMADGE) TO
THE RESOLUTION OF RATIFICATION OF THE TREATY CONCERNING
THE PERMANENT NEUTRALITY AND OPERATION OF THE PANAMA CANAL,
DONE AT WASHINGTON ON SEPTEMBER 7, 1977,

VIZ: BEFORE THE PERIOD AT THE END OF THE RESOLUTION OF

RATIFICATION, INSERT A COMMA AND THE FOLLOW-NG: "SUBJECT
TO THE RESERVATIONS --

"(1) THAT, BEFORE THE DATE OF ENTRY INTO FORCE OF THE
TREATY, THE TWO PARTIES SHALL BEGIN TO NEGOTIATE FOR AN
AGREEMENT UNDER WHICH THE AMERICAN BATTLE MONUMENTS
COMMISSION WOULD, UPON THE DATE OF ENTRY INTO FORCE OF
SUCH AGREEMENT AND THEREAFTER, ADMINISTER, IN ACCORDANCE
WITH THE PRACTICES, PRIVILEGES, AND IMMUNITIES ASSOCIATED
WITH THE ADMINISTRATION OF CEMETERIES OUTSIDE THE UNITED
STATES BY THE AMERICAN BATTLE MONUMENTS COMMISSION,
INCLUDING THE DISPLAY OF THE FLAG OF THE UNITED STATES,
SUCH PART OF COROZAL CEMETERY IN THE FORMER CANAL ZONE AS
ENCOMPASSES THE REMAINS OF CITIZENS OF THE UNITED STATES;

"(2) THAT THE FLAG OF THE UNITED STATES MAY BE DIS-
PLAYED, PURSUANT TO THE PROVISIONS OF PARAGRAPH 3 OF
ARTICLE VII OF THE PANAMA CANAL TREATY, AT SUCH PART OF
COROZAL CEMETERY IN THE FORMER CANAL ZONE AS ENCOMPASSES
THE REMAINS OF CITIZENS OF THE UNITED STATES; AND

"(3) THAT THE PRESIDENT--

"(A) SHALL HAVE ANNOUNCED, BEFORE THE DATE OF
ENTRY INTO FORCE OF THE TREATY, HIS INTENTION TO TRANSFER,
CONSISTENT WITH AN AGREEMENT WITH THE REPUBLIC OF PANAMA,
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AND BEFORE THE DATE OF TERMINATION OF THE PANAMA CANAL
TREATY, TO THE AMERICAN BATTLE MONUMENTS COMMISSION THE
ADMINISTRATION OF SUCH PART OF COROZAL CEMETERY AS EN-
COMPASSES THE REMAINS OF CITIZENS OF THE UNITED STATES;
AND

"(B) SHALL HAVE ANNOUNCED, IMMEDIATELY AFTER
THE DATE OF EXCHANGE OF THE INSTRUMENTS OF RATIFICATION,
PLANS, TO BE CARRIED OUT AT THE EXPENSE OF THE UNITED
STATES GOVERNMENT, FOR

"(I) REMOVING, BEFORE THE DATE OF ENTRY
INTO FORCE OF THE TREATY, THE REMAINS OF CITIZENS
OF THE UNITED STATES FROM MOUNT HOPE CEMETERY TO
SUCH PART OF COROZAL CEMETERY AS ENCOMPASSES SUCH
REMAINS, EXCEPT THAT THE REMAINS OF ANY CITIZEN
WHOSE NEXT OF KIN OBJECTS IN WRITING TO THE SECRE-
TARY OF THE ARMY NOT LATER THAN THREE MONTHS
AFTER THE DATE OF EXCHANGE OF THE INSTRUMENTS OF
RATIFICATION OF THE TREATY SHALL NOT BE REMOVED;

AND

"(II) TRANSPORTING TO THE UNITED STATES
FOR REINTERMENT, IF THE NEXT OF KIN SO REQUESTS,
NOT LATER THAN 30 MONTHS AFTER THE DATE OF
ENTRY INTO FORCE OF THE TREATY, ANY SUCH REMAINS
ENCOMPASSED BY COROZAL CEMETERY AND, BEFORE THE
DATE OF ENTRY INTO FORCE OF THE TREATY, ANY
REMAINS REMOVED FROM MOUNT HOPE CEMETERY PUR-
SUANT TO SUBCLAUSE (I); AND

"(C) SHALL HAVE FULLY ADVISED, BEFORE THE DATE
OF ENTRY INTO FORCE OF THE TREATY, THE NEXT OF KIN
OBJECTING UNDER CLAUSE (B) (I) OF THE POSSIBLE ADVERSE
CONSEQUENCES OF LEAVING SUCH REMAINS IN MOUNT HOPE CEME-
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TERY AFTER THE DATE OF ENTRY INTO FORCE OF THE TREATY".
END QUOTE.

3. WE HAVE OBJECTED TO LANGUAGE OF FINAL PARAGRAPH AND
HOPE IT WILL BE AMENDED TO SUBSTITUTE MORE NEUTRAL
LANGUAGE SUCH AS ADVISING NEXT OF KIN CONCERNING THE
OPTIONS OPEN TO THEM. VANCE

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